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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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PHILLIP M. ADAMS & ASSOCIATES,  
L.L.C., a Utah Limited Liability Company,

Plaintiff,

vs.

SONY ELECTRONICS INC., WINBOND  
ELECTRONICS CORP., ASUSTEK  
COMPUTER, INC., ASUS COMPUTER  
INTERNATIONAL, MICRO-STAR  
INTERNATIONAL CORPORATION, LTD.,  
MSI COMPUTER CORPORATION and MPC  
COMPUTERS, LLC,

Defendants.

**ADAMS' MOTION FOR DEFAULT  
JUDGMENT AGAINST ITE**

Civil No. 1:05-CV-64 TS

The Honorable Ted Stewart  
Magistrate Judge David Nuffer

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And Related Third-Party Claims.

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Phillip M. Adams & Associates ("Adams") respectfully moves this Court, pursuant to Fed.R.Civ.P. 55(b), for entry of default judgment against third-party defendant ITE Tech., Inc. ("ITE"). ITE has failed to answer Adams' amended cross-complaint against ITE, and ITE has failed to otherwise plead. Accordingly, the Clerk of this Court has entered default against ITE, allowing Adams to file the present motion.

This Motion for Default Judgment is supported by the Memorandum in Support, the Declaration of damages expert Joseph Gemini, and the Declaration of Dr. Phillip M. Adams filed concurrently herewith. The detailed Declarations of Joseph Gemini and Dr. Phillip M. Adams obviate the need for any hearing, and firmly establish the compensatory damages and injunctive relief that Adams seeks.

Thus, for the reasons outlined in the memorandum supporting this motion and in the declarations of Dr. Phillip M. Adams and Joseph Gemini, Adams respectfully requests that the Court enter a default judgment as to third-party defendant ITE in the amount of \$244.9 million (\$244,900,000.00). Adams further requests that the Court issue a permanent injunction precluding ITE from selling its ITE chips, including IT8661, IT8671, IT8700, IT8702, IT8703, IT8705, IT8707, IT8708, IT8710, IT8711, IT8712, IT8716, IT8718, IT8720, IT8781, IT8782, IT8783, and any other ITE device containing an I/O controller, including ITE chips containing an FDC, into the United States. Should the Court deem it necessary, Adams will appear for a hearing on any of the issues set forth above. Adams has served all the documents associated with this motion to Mr. Liu at ITE's headquarters by Federal Express.

Adams also files herewith a Proposed Default Judgment for consideration and entry by the Court.

DATED: April 9, 2010.

HOWARD, PHILLIPS & ANDERSEN

/s/ Gregory D. Phillips

By: Gregory D. Phillips  
Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **ADAMS' MOTION FOR DEFAULT JUDGMENT AGAINST ITE** was electronically filed with the Clerk of the Court using CM/ECF system, which will send notification by electronic mail to the following on April 9, 2010, with the exception of Federal Express delivery to ITE Tech., which counsel for Adams has sent to ITE Tech on April 9, 2010:

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/s/ Gregory D. Phillips